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U.S. PATENT & TRADEMARK OFFICE

EXPRESS MAIL NO.: ER 843 147 172 US  
ATTORNEY DOCKET NO.: 056409-5092  
PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: )  
Paul GAUDRON ) Confirmation No.: 5559  
Application No.: 10/632,790 ) Group Art Unit: 3677  
Filed: August 4, 2003 ) Examiner: Katherine W. Mitchell  
For: FASTENER FOR USE WITH )  
FRANGIBLE MATERIAL )

MAIL STOP AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(c)**

SIR:

Pursuant to 37 C.F.R. 1.56 and 1.97(c), Applicants bring to the attention of the Examiner the documents listed on the attached PTO Form 1449. These documents were cited in a search report received from the European Patent Office in counterpart European application (copy attached hereto for convenience of Examiner).

This Information Disclosure Statement is filed under 37 C.F.R. 1.97(c) before the mailing date of any final action that closes prosecution in the application. In accordance with 37 C.F.R. 1.97(e)(1), it is certified that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. Accordingly, Applicant does not believe that a fee is due for filing this Statement.

Should a fee be required in connection with the filing of this Statement, however, please charge any such fee(s) fee to our Deposit Account No. 50-0310.

A copy of this sheet is enclosed for such purpose if required.

Applicant respectfully requests that the Examiner consider the listed document and evidence that consideration by making appropriate notations on the attached PTO Form 1449.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each of the listed documents are material or constitute "Prior Art." If it should be determined that the listed documents do not constitute "Prior Art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should the documents be applied against the claims of the present application.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP



Frank J. Spanitz  
Reg. No. 47,104

Dated: January 26, 2005                      By:

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## **INFORMATION DISCLOSURE CITATION**

Attorney Docket No.  
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(Use several sheets if necessary)

PTO Form 1449

JAN 25 2005

Applicant(s): GAUDRON

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Filing Date: August 4,  
2003

Group Art Unit: 3677  
Confirmation No.: 5559

## **U.S. PATENT DOCUMENTS**

## **FOREIGN PATENT DOCUMENTS**

		Document Number	Date	Country	Class	Sub Class	<u>Translation</u>
							YES NO
		EP 0 494 651 A1	July 15, 1992	European			Yes
		EP 1 167 781 A1	Jan. 2, 2002	European			English

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

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**Examiner** \_\_\_\_\_ **Date Considered** \_\_\_\_\_

**Examiner:** Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.